

2013 DRAFT ZONING ARTICLE

AMEND ZONING BYLAW – DONATION COLLECTION BINS

(Two-thirds vote)

To see if the Town will vote to amend the Zoning Bylaw by inserting a new section 3.8.4 as follows:

- 3.8.4 Donation Collection Bins – Donation Collection Bins (in this section hereinafter referred to as Bin or Bins) are outdoor receptacles or containers designed or intended for the donation and the temporary storage of books, clothing or other goods and materials. Bins may be placed on non-residential LOTS within any Business, Industrial or Office District, or in other Districts on LOTS owned or occupied by a Municipal, Educational, or Religious USE, subject to the following requirements:

Donation Collection Bins are also subject to permits and certain disclosure and conformance requirements as set forth in Chapter E of the General Bylaws of the Town of Acton.

- 3.8.4.1. Only one Bin shall be allowed on a LOT measuring 1 acre or less in area. For LOTS over 1 acre in area, up to three Donation Collection Bins may be allowed on a LOT.
- 3.8.4.2. Bins shall meet all minimum front, side, and rear yard setback requirements for BUILDINGS and STRUCTURES of the Zoning District in which they are located.
- 3.8.4.3. Bins shall not be placed on lawns and other landscaped areas.
- 3.8.4.4. Bins shall not be placed or located so as to block or obstruct the following: pedestrian or BUILDING access or egress; the minimum number of vehicle parking and handicap parking spaces required under this Bylaw and under the Massachusetts Architectural Access Board (AAB) regulations; ACCESS driveways; interior driveways; maneuvering aisles; loading areas; public or private utilities, services, or drainage systems; fire lanes, alarms, hydrants, or other fire protection equipment; and emergency accesses or egresses.
- 3.8.4.5. Bins shall be operated and maintained so that all sidewalks and walkways continuously meet minimum Americans with Disabilities Act (ADA) and Massachusetts Architectural Access Board (AAB) standards.
- 3.8.4.6. Bins shall be completely screened on three sides from abutters' and public view with fencing, landscaping, walls, or similar devices.
- 3.8.4.7. Bins shall be fully enclosed and locked, and have not more than one receiving door with a theft prevention device.
- 3.8.4.8. Bins shall not exceed 200 cubic feet in size.
- 3.8.4.9. Bins shall have one sign, not exceeding 4 square feet in display area, attached to the exterior of the Bin displaying the Bin owner's or operator's name and contact information, collection times, and other required information. No advertising shall be allowed on the sign.
- 3.8.4.10. Bins shall be regularly emptied of their content so that they do not overflow and do not result in donated goods and materials being strewn about the surrounding area.

3.8.4.11. Bins and their surroundings shall be maintained in a state of good repair, in a neat and clean condition, and free of trash, debris, refuse or like materials.

, or take any other action relative thereto.

SUMMARY

There is a fair number of donation collection bins in Acton; they may be operated by charitable not-for-profit or by for-profit organizations. Currently, zoning does not expressly allow the placement of such bins anywhere in Acton. This article would establish zoning standards for donation collection bins pertaining to placement, setbacks, visual screening, and maintenance. Adoption of this article will enact these standards in the Zoning Bylaw. Rejection will direct staff to enforce the current zoning bylaw and cause the removal of all donation collection bins not otherwise exempt from zoning pursuant to the Dover Amendment or otherwise. A companion article in this warrant would establish as a general bylaw annual permits for donation collection bins, disclosure requirements, and timelines for bylaw conformance.

Direct inquiries to: Roland Bartl, Planning Director: planning@acton-ma.gov / (978) 929-6631
Selectman assigned:

Board of Selectmen:

Finance Committee:

Planning Board: